

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHARTISHA WILLIAMS,

Plaintiff,

-v-

NEW YORK CITY HEALTH & HOSPITALS
CORPORATION, *et al.*,

Defendants.

22-CV-8633 (JPO)

ORDER OF SERVICE

J. PAUL OETKEN, United States District Judge:

Plaintiff brings this *pro se* action under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-1, the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12112-12117, the New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297, and the New York City Human Rights Law, N.Y.C. Admin. Code §§ 8-101 to 131. She alleges that her former employer discriminated against her by terminating her employment because of her religion and disability. By order dated November 7, 2022, the Court granted Plaintiff’s request to proceed *in forma pauperis* (“IFP”), that is, without prepayment of fees.

DISCUSSION

Because Plaintiff has been granted permission to proceed IFP, she is entitled to rely on the Court and the U.S. Marshals Service to effect service.¹ *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve

¹ Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have served summonses and the complaint until the Court reviewed the complaint and ordered that summonses be issued. The Court therefore extends the time to serve until 90 days after the date summonses are issued.

all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)).

To allow Plaintiff to effect service on Defendants New York City Health & Hospitals Corporation, Dr. Ashwin Vasan, and Dr. Mitchell Katz through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for each of these defendants. The Clerk of Court is further instructed to issue summonses and deliver to the U.S. Marshals Service all the paperwork necessary for the U.S. Marshals Service to effect service upon these defendants.

If the complaint is not served within 90 days after the date the summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if her address changes, and the Court may dismiss the action if Plaintiff fails to do so.

CONCLUSION

The Clerk of Court is instructed to complete the USM-285 forms with the addresses for New York City Health & Hospitals Corporation, Dr. Ashwin Vasan, and Dr. Mitchell Katz, and deliver to the U.S. Marshals Service all documents necessary to effect service on these defendants.

The Clerk of Court is directed to mail an information package to Plaintiff, including a copy of this order.

SO ORDERED.

Dated: November 9, 2022
New York, New York



J. PAUL OETKEN
United States District Judge

DEFENDANTS AND SERVICE ADDRESSES

1. New York City Health & Hospitals Corporation
50 Water Street
17th Floor
New York, NY 10004
2. Dr. Ashwin Vasani
New York City Health & Hospitals Corporation
50 Water Street
17th Floor
New York, NY 10004
3. Dr. Mitchell Katz
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